

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Shahed Farasat

Respondent

Civil Citation No. 63918

110 Hawthorne Avenue

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on September 2, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-310 (a), failure to remove trash and debris from residential property known as 110 Hawthorne Avenue, 21208.

On August 12, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Ryan Fisher issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$500.00 (five hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on July 6, 2009 for removal of trash and debris from this residential property. This Citation was issued on August 12, 2009.

B. Photographs in the file show a large number of bags of garbage or trash, loose garbage, and roofing or other construction materials along the side of this house. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats.

C. Inspector Ryan Fisher re-inspected the property on August 3, 2009 and spoke with Respondent, who was at the property negotiating with a junk removal company employee to get the debris removed. Inspector Fisher granted an extension for removal, to August 11, 2009. Re-inspections on August 12, 2009 and August 31, 2009 found no improvement.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if the violation is corrected by September 30, 2009, with all junk, trash, garbage and debris removed from the premises.

IT IS FURTHER ORDERED that after September 30, 2009, the County may enter the property for the purpose of removing all junk, trash, debris and garbage, at Respondent's expense.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

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IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 15th day of September 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

MZF/jaf